UNECE WP on Regulatory Cooperation and Standardisation Policies

Completing the Market Surveillance Model and more

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Ivan Hendrikx
convener of General Market Surveillance Model initiative
hendrikx.ivan@gmail.com
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1. Introduction

✓ MS Model developed since 2007 within the UNECE MARS group;

✓ The Model has been inspiring MS entities including industry initiatives worldwide and its contents are still prominent;

✓ Effectiveness of MS actions has always been the leading target in the Model;
1. Introduction

More elements of the Model have been developed since 2007 but due to low budget these have never been integrated into the Model.

However we now note that:

- Major industry groupings in Europe but also in US want a better market surveillance system.
- MSAs have been working more and more together, apparently this is a good idea but .. is it enough?
2. Why to complete the Model?

- Regulatory frameworks do not clearly define outcomes of MS actions, i.e. what is the need on human and financial resources to get an effective MS system
- We even do not know exactly what is “an effective MS system”
- This situation leaves freedom to MSAs to implement a performing or a less (badly) performing MS system
3. MS requirements in standards

Setting objectives in MS actions are key

✓ From recent research (see Pendrill paper 2014), it is suggested to develop optimized sampling uncertainty methodologies which include economic assessments of the costs of doing testing/sampling together with the costs of incorrect decision making.

✓ This approach can be applied to market surveillance actions as well so that it will become clear if resources for MS are sufficient.
4. Preliminary conclusions & way forward

Review of MS networks reveals:

- Market surveillance shall perform better (fair playing field in particular)

- Existing regional co-operation initiatives among national MSAs are interesting but not enough

- There are a number of guides for MS actions out there, but… they are only guides…

- MS shall be integrated in standards work so that:
  - Consensus is achieved among all interested parties
Way forward:

- Enter critical elements into the Model like: setting objectives, setting and reporting on compliance rates, entry conditions, verification testing (sampling, pre-compliance testing), elements of a QMS for MSAs.

- Research (1) on how resources play a role in effective MS shall be performed

- Use the completed Model and research data to input it into standards WGs or TCs at a high enough level (e.g. basic standards TCs).

(1) A new paper on dynamic modeling of MS actions has been introduced to IEEE product safety seminar – May 2016 in California.